

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE TRUSTEES OF THE UNITED TEAMSTER
FUND and THE TRUSTEES OF THE UNITED
TEAMSTER PENSION FUND "A"

Case No. 07 CV 10476
(TPG) (FM)

Plaintiffs,

**PROPOSED
DEFAULT JUDGMENT**

-against-

M.Y. PRODUCE, INC. and
YOUNG KIM,

Defendants.

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This action having been commenced on November 20, 2007, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served upon each of the Defendants in this action on November 29, 2007 by personal service on Carol Vogt, a Clerk in the Office of the New York Secretary of State, in the City of Albany, State of New York and Defendant Young Kim, an individual Defendant in this action, by personal service upon him, at his place of business located at 264-265 Hunts Point Terminal Market, Row B, Bronx, New York 10474 on November 30, 2007, and proof of such service thereof having been filed with the Court on April 19, 2007 and April 23, 2007, and the time for answering the Complaint having been expired on December 20, 2007, and with the receipt of the Clerk's Certificate of Default dated March 11, 2008, it is

ORDERED, ADJUDGED AND DECREED, that the Plaintiffs have judgment against Defendants M.Y. Produce Inc ("M.Y. Produce") and Young Kim, located at 264-265 Hunts Point Terminal Market, Row B, Bronx, New York 10474, on the first cause of action for breach of contract against Defendants M.Y. Produce and Young Kim for an order in favor of Plaintiffs and

against Defendants M.Y. Produce and Young Kim; on the second cause of action for violations of Collective Bargaining Agreement, Trust Agreements and provisions of ERISA, for an Order in favor of Plaintiffs and against Defendants M.Y. Produce and Young Kim; and on the third cause of action for breach of fiduciary duty against Defendant Young Kim, for an Order in favor of Plaintiffs and against Defendant Young Kim and for such other and further relief as the Court deems just and proper;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties are directed to appear for an inquest before the Court at _____, in Courtroom _____, on the date of _____, 2008, in the forenoon, to take an account and determine the amount of damages, interest, liquidated damages, expenses, costs, and attorney's fees to which the Plaintiffs are entitled pursuant to the judgment of this Court.

Dated: New York, New York
April 16, 2008

U.S.D.J.

This document was entered on the docket on _____.